

1 SENATE JOINT RESOLUTION NO. 14

2 INTRODUCED BY TROPILA, ROUSH

3
4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF
5 MONTANA REQUESTING AN INTERIM STUDY REGARDING THE MISSIONS AND OPERATION OF THE
6 MONTANA NATIONAL GUARD FOR THE PURPOSES OF STATE ACTIVE DUTY PERFORMED TO MEET
7 STATE EMERGENCIES.

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9 WHEREAS, members of the Montana National Guard, like members of other states' National Guard
10 organizations, serve in either a federal or a state status; and

11 WHEREAS, the alert system, mobilization and demobilization, deployment and redeployment, pay and
12 benefits, retirement qualification and benefits, life and health insurance provisions, and death benefits for
13 members of the National Guard serving in a federal active duty status are mostly established by federal law and
14 regulation and are reviewed and studied from time to time by the Department of Defense and the United States
15 Congress; and

16 WHEREAS, the same subjects for members of the Montana National Guard while serving in a state
17 status on State Active Duty (SAD) are governed by state law and regulations of the Montana Department of
18 Military Affairs; and

19 WHEREAS, SAD is used for many different kinds of state emergencies, including such emergencies
20 as wildfire suppression and strikes at state institutions, and those types of emergencies are difficult to predict,
21 requiring availability of forces, through a mobilization and deployment system, virtually 24 hours a day, 7 days
22 a week, all year long; and

23 WHEREAS, there may be a need for more Montana National Guard members to serve more state duty
24 in a SAD status in the future, for the purposes of reaction to weapons of mass destruction threats and for
25 antiterrorist missions, because not every response by the National Guard to unidentified causes of emergencies
26 can or will be paid for by the United States; and

27 WHEREAS, the necessity for SAD, the process by which National Guard members are called to SAD,
28 the conditions under which members serve on SAD, the deployment and redeployment system, the benefits
29 available to them on and after SAD, the laws under which they serve on SAD, and other practical and legal
30 implications of SAD service have not ever been studied by the Legislature; and

1 WHEREAS, the service of members of the Montana National Guard on SAD is extremely important to
2 the residents of Montana and to state and local governments in Montana because the state needs an organized,
3 trained, and equipped force ready to respond to state emergencies at the call of the Governor; and

4 WHEREAS, it is therefore fitting and proper that the Legislature review all aspects of SAD in order to
5 become informed regarding mechanisms and missions of SAD and to determine whether the laws governing
6 the National Guard need to be updated or otherwise changed to enhance the execution of SAD missions and
7 to reflect national and state priorities for the use of the Montana National Guard while on SAD.

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9 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF
10 THE STATE OF MONTANA:

11 That the Legislative Council be requested to designate an appropriate committee, pursuant to section
12 5-5-217, MCA, or direct sufficient staff resources to work in collaboration with the Department of Military Affairs
13 and other appropriate groups to:

14 (1) receive information from the Department of Military Affairs and other federal, state, and local
15 government agencies, as well as persons from the private sector, to determine what aspects of SAD function
16 well and those aspects that need further attention by the Legislature;

17 (2) examine the method by which state emergencies are declared and ended and the system by which
18 the Montana National Guard is alerted, mobilized, deployed, and redeployed and serves on SAD;

19 (3) study the preparation, training, mission, and tasks of the Montana National Guard as they relate to
20 the type of emergency for which the Guard is placed on SAD;

21 (4) study the pay, benefits, and support furnished members of the National Guard while being called
22 to, serving on, and completing SAD;

23 (5) study the types of emergencies for which the National Guard has been called to SAD and the types
24 of emergencies for which it may be called to SAD in the future and determine how well current practices and
25 statutes relate to those missions; and

26 (6) examine the laws under which the National Guard is called to duty and executes its SAD missions,
27 to determine whether to ascertain the appropriateness of those laws, given the National Guard's past, present,
28 and future missions while on SAD.

29 BE IT FURTHER RESOLVED, that, if the study is assigned to staff, any findings or conclusions be
30 presented to and reviewed by an appropriate committee designated by the Legislative Council.

1 BE IT FURTHER RESOLVED, that all aspects of the study, including presentation and review
2 requirements, be concluded prior to September 15, 2006.

3 BE IT FURTHER RESOLVED, that the final results of the study, including any findings, conclusions,
4 comments, or recommendations of the appropriate committee, be reported to the 60th Legislature.

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